

**ASSEMBLY BILL**

**No. 364**

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**Introduced by Assembly Member Torlakson**

February 23, 2009

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An act to amend Sections 8483.55 and 44393 of, and to add and repeal Section 44394 of, the Education Code, relating to after school programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 364, as introduced, Torlakson. California After School Teacher Pipeline Program.

(1) The After School Education and Safety Program Act of 2002, enacted by the initiative measure Proposition 49, establishes the After School Education and Safety Program to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools.

The Wildman-Keeley-Solis Exemplary Teacher Training Act of 1997 establishes the California School Paraprofessional Teacher Training Program for the purpose of recruiting paraprofessionals to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools.

This bill would establish the California After School Teacher Pipeline Program, a pilot program, for the purpose of recruiting qualified after school instructors to participate on a pilot basis in the California School Paraprofessional Teacher Training Program. The bill would require the Commission on Teacher Credentialing to select up to 4 school districts or county offices of education receiving program funds under the California School Paraprofessional Teacher Training Program to apply

for pilot program funds. The bill would require the commission to use the \$150,000 annually transferred by the State Department of Education, as described in (2) below, to award a grant to each selected applicant, not to exceed \$3,500 per pilot participant per year. The bill would require the commission, before January 1, 2015, to report to the Legislature regarding the pilot program, as specified. The bill would make these provisions inoperative on July 1, 2016, and repeal them on January 1, 2017.

(2) The After School Education and Safety Program Act of 2002 makes 1.5% of the funds continuously appropriated for purposes of that program available to the department for purposes of providing technical assistance, evaluation, and training services, and for providing local assistance funds to support program improvement and technical assistance. The act authorizes the Legislature to amend that funding provision by a majority vote if the amendment furthers the purposes of the act.

This bill, commencing with the 2010–11 fiscal year, would require the department annually to transfer \$150,000 of those funds to the commission for purposes of implementing the California After School Teacher Pipeline Program.

(3) This bill also would include a finding and declaration of the Legislature that the bill’s provisions further the purposes of the After School Education and Safety Program Act of 2002.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 8483.55 of the Education Code is  
2     amended to read:  
3     8483.55. (a) From the funds appropriated pursuant to  
4     subdivision (b) of Section 8483.5, the department may spend 1.5  
5     percent to cover evaluation costs and to provide training and  
6     support to ensure quality program implementation, development,  
7     and sustainability and may pay its costs of awarding and monitoring  
8     grants.  
9     (b) (1) Beginning with the 2006–07 fiscal year, 1.5 percent of  
10    the funds appropriated pursuant to this article shall be available to  
11    the department for purposes of providing technical assistance,

1 evaluation, and training services, and for providing local assistance  
2 funds to support program improvement and technical assistance.

3 (2) *Commencing with the 2010–11 fiscal year, one hundred fifty*  
4 *thousand dollars (\$150,000) of the funds appropriated as described*  
5 *in this section shall be transferred annually by the department to*  
6 *the Commission on Teacher Credentialing for purposes of*  
7 *implementing the California After School Teacher Pipeline*  
8 *Program established in Section 44394.*

9 ~~(1)–~~

10 (3) The department shall provide directly, or contract for,  
11 technical assistance for new programs and any program that is not  
12 meeting attendance or performance goals, or both, and requests  
13 that assistance. The department shall allocate an appropriate level  
14 of technical assistance funds to the regional system of support to  
15 support program startup within 45 days after grant awards to  
16 programs.

17 ~~(2)–~~

18 (4) (A) Training and support shall include, but is not limited  
19 to, the development and distribution of voluntary guidelines for  
20 physical activity programs established pursuant to paragraph (2)  
21 of subdivision (c) of Section 8482.3, that expand the learning  
22 opportunities of the schoolday.

23 (B) The department shall distribute these voluntary guidelines  
24 for physical activity programs on or before July 1, 2009.

25 (c) The department shall contract for an independent statewide  
26 evaluation of the effectiveness of programs funded pursuant to  
27 this article to be prepared and submitted to the Legislature. The  
28 evaluation shall include a comparison of outcomes for participating  
29 pupils and similarly situated pupils who did not participate in the  
30 program. A report shall be submitted to the Governor and the  
31 Legislature on or before October 1, 2011, providing data that  
32 includes, but is not limited to, all of the following:

33 (1) Data collected pursuant to Section 8484.

34 (2) Data adopted through the process outlined in subdivision  
35 (b) of Section 8421.5 and subdivision (g) of Section 8482.4.

36 (3) Number and type of sites and grantees participating in the  
37 program.

38 (4) Pupil program attendance, as reported semiannually, and  
39 pupil schoolday attendance, as reported annually.

40 (5) Pupil program participation rates.

1 (6) Quality of program drawing on the research of the Academy  
2 of Sciences on critical features of programs that support healthy  
3 youth development.

4 (7) The participation rates of local educational agencies.

5 (8) Local partnerships.

6 (9) The academic performance of participating pupils in English  
7 language arts and mathematics, as measured by the results of the  
8 Standardized Testing and Reporting (STAR) Program established  
9 pursuant to Section 60640.

10 (d) A final report shall be submitted to the Governor and the  
11 Legislature on or before December 1, 2011. The final report shall  
12 include, but not be limited to, all of the following:

13 (1) Updated data on the measures specified in subdivision (b),  
14 including, but not limited to, changes in those measures.

15 (2) The prevalence and frequency of activities included in  
16 funded programs.

17 SEC. 2. Section 44393 of the Education Code is amended to  
18 read:

19 44393. (a) The California School Paraprofessional Teacher  
20 Training Program is hereby established for the purpose of recruiting  
21 school paraprofessionals to participate in a program designed to  
22 encourage them to enroll in teacher training programs and to  
23 provide instructional service as teachers in the public schools.

24 (b) The commission, in consultation with the Chancellor of the  
25 California Community Colleges, the Chancellor of the California  
26 State University, the President of the University of California, the  
27 chancellors of private *postsecondary educational* institutions ~~of~~  
28 ~~higher education~~ that offer accredited teacher training programs,  
29 and representatives of certificated and classified employee  
30 organizations, shall select 24 or more school districts or county  
31 offices of education representing rural, urban, and suburban areas  
32 that apply to participate in the program. The commission shall  
33 ensure that, at a minimum, a total of 600 school paraprofessionals  
34 are recruited from among the 24 or more participating school  
35 districts or county offices of education. The criteria adopted by  
36 the commission for the selection of school districts or county  
37 offices of education to participate in the program shall include all  
38 of the following:

39 (1) The extent to which the applicant demonstrates the capacity  
40 and willingness to accommodate the participation of school

1 paraprofessionals in teacher training programs conducted at  
2 *postsecondary educational institutions of higher education*.

3 (2) The extent to which the applicant's plan for the  
4 implementation of its recruitment program involves the active  
5 participation of one or more local campuses of the participating  
6 *postsecondary educational institutions of higher education* in the  
7 development of coursework and teaching programs for participating  
8 school paraprofessionals. Each selected applicant shall be required  
9 to enter into a written articulation agreement with the participating  
10 campuses of the *postsecondary educational institutions of higher*  
11 *education*.

12 (3) The extent to which the applicant's plan for recruitment  
13 attempts to meet the demand for bilingual-crosscultural teachers.

14 (4) The extent to which the applicant's plan for recruitment  
15 attempts to meet the demand for multiple subject credentialed  
16 teachers interested in teaching kindergarten or any of grades 1 to  
17 3, inclusive. For purposes of this paragraph, each paraprofessional  
18 selected to participate shall have completed at least two years of  
19 undergraduate college or university coursework and shall have  
20 demonstrated an interest in obtaining a multiple subject teaching  
21 credential for teaching kindergarten or any of grades 1 to 3,  
22 inclusive.

23 (5) The extent to which the applicant's plan for recruitment  
24 attempts to meet the demand for special education teachers.

25 (6) The extent to which a developmentally sequenced series of  
26 job descriptions leads from an entry-level school paraprofessional  
27 position to an entry-level teaching position in that school district  
28 or county office of education.

29 (7) The extent to which the applicant's plan for recruitment  
30 attempts to meet its own specific teacher needs.

31 (8) The extent to which the applicant's plan for implementation  
32 of its recruitment program involves participation in a district  
33 internship program pursuant to Article 7.5 (commencing with  
34 Section 44325) and Section 44830.3 or a ~~university~~ *teacher*  
35 *education* internship program pursuant to Article 3 (commencing  
36 with Section 44450) of Chapter 3.

37 (c) An applicant that is selected to participate pursuant to  
38 subdivision (b) shall provide information and assistance to each  
39 school paraprofessional it recruits under the program regarding  
40 admission to a teacher training program.

(d) (1) The applicant shall recruit and organize groups, or “cohorts,” of ~~participants~~, *participants* of no more than 30, and no less than 10, in each cohort. Cohorts shall be organized to consist of participants having approximately equal academic experience and qualifications, as determined by the school district or county office of education. To the extent possible, the members of each cohort shall proceed through the same subject matter and credential programs. The members of each cohort shall enroll in the same college or university and shall be provided appropriate support, *mentoring, advising*, and information throughout the course of their studies by the applicant.

(2) An applicant shall require participants to satisfy all of the following requirements prior to participating in the program:

(A) For the purpose of obtaining current criminal history information from the Department of Justice and the Federal Bureau of Investigation, obtain a certificate of clearance from the commission pursuant to Sections 44339 to 44341, inclusive, and related regulations adopted by the commission.

(B) Provide verification of one of the following:

(i) Has earned an associate or higher level degree.

(ii) Has completed at least two years of study at a postsecondary educational institution.

(iii) Has received a passing score on a formal academic assessment that demonstrates knowledge of, and the ability to assist in the instruction of, reading, writing, and mathematics. The formal academic assessment shall be based upon a job analysis for validity purposes and shall be made readily available to examinees.

(3) An applicant shall certify that it has received a commitment from each participant that he or she will accomplish all of the following:

(A) Graduate from an institution of higher education under the program with a bachelor’s degree.

(B) Complete all of the requirements for and obtain a multiple subject, single subject, or education specialist teaching credential.

(C) Complete one school year of classroom instruction in the district or county office of education for each year that he or she receives assistance for books, fees, and tuition while attending an institution of higher education under the program.

1 (4) To the extent that a participant does not fulfill his or her  
2 obligations, as set forth in paragraph (3), the participant shall be  
3 required to repay the assistance. If a participant is laid off, the  
4 participant ~~may~~ *shall* not be required to repay the assistance until  
5 the participant is offered reemployment and has an opportunity to  
6 fulfill his or her obligations under this section.

7 (5) Except as otherwise provided in paragraph (4), if a  
8 participant is unable to fulfill his or her obligations pursuant to  
9 paragraph (3) due to a serious illness, a pregnancy, or another  
10 natural cause, the time period for repayment of the assistance shall  
11 be extended by a maximum period of one year.

12 (6) Except as otherwise provided in paragraph (4), if an  
13 interruption in employment caused by a natural disaster prevents  
14 a participant from completing one of the required years of service,  
15 the time period for repayment of the assistance shall be extended  
16 by a period equal to the period between the date the interruption  
17 of employment begins and the date employment resumes.

18 (e) The commission shall contract with an independent evaluator  
19 with a proven record of experience in assessing career-advancement  
20 programs or teacher training programs to conduct an evaluation  
21 to determine the success of the recruitment programs established  
22 pursuant to subdivision (b). The evaluation shall be conducted  
23 once every five years and shall incorporate data annually collected  
24 by the commission and reported to the Legislature. The commission  
25 shall complete the evaluation with existing resources. By January  
26 1 of each year in which an evaluation is conducted pursuant to this  
27 subdivision, commencing with January 1, 2009, the commission  
28 shall submit the completed evaluation to the Governor and the  
29 education policy and fiscal committees of the Assembly and Senate.  
30 The evaluation shall include, but is not limited to, all of the  
31 following:

32 (1) The total cost per person participating in the program who  
33 successfully obtains a teaching credential, based upon all state,  
34 local, federal, and other sources of funding.

35 (2) The economic status of persons participating in the program.

36 (3) A description of financial and other resources made available  
37 to each recruitment program by participating school districts or  
38 county offices of education, *postsecondary educational* institutions  
39 ~~of higher education~~, and other participating organizations.

1 (4) The extent to which pupil performance on standardized  
2 achievement tests has improved in classes taught by teachers who  
3 have successfully completed the program, in comparison to classes  
4 taught by other teachers who have equivalent teaching experience.

5 (5) The extent to which pupil dropout rates and other measures  
6 of delinquency have improved in classes taught by teachers who  
7 have successfully completed the program.

8 (6) The extent to which teachers who have successfully  
9 completed the program remain in the communities in which they  
10 reside and in which they teach.

11 (7) The attrition rate of teachers who have successfully  
12 completed the program.

13 (f) Each selected school district or county office of education  
14 shall report to the commission regarding the progress of each cohort  
15 of school paraprofessionals, *the number of prospective participants*  
16 *who annually apply for the program and are not accepted due to*  
17 *program capacity restraints*, and other information regarding its  
18 recruitment program as the commission may direct.

19 (g) No later than January 1 of each year, the commission shall  
20 report to the Legislature regarding the status of the program,  
21 including, but not limited to, the number of school  
22 paraprofessionals recruited, the academic progress of the school  
23 paraprofessionals recruited, the number of school paraprofessionals  
24 recruited who are subsequently employed as teachers in the public  
25 schools, the degree to which the program meets the demand for  
26 bilingual and special education teachers as well as meeting teacher  
27 needs in shortage areas as determined by the school district or  
28 county office of education, the degree to which the program or  
29 similar programs can meet that demand if properly funded and  
30 executed, *the number of prospective participants who annually*  
31 *apply for the program and are not accepted due to program*  
32 *capacity restraints*, and other effects upon the operation of the  
33 public schools.

34 (h) (1) It is the intent of the Legislature that each fiscal year,  
35 funding for the California School Paraprofessional Teacher  
36 Training Program be allocated to the Commission on Teacher  
37 Credentialing for grants to applicants pursuant to this section. A  
38 grant to an applicant shall not exceed three thousand five hundred  
39 dollars (\$3,500) per participant per year. Funding for grants to



1 applicants pursuant to this subdivision shall be contingent upon  
2 an appropriation in the annual Budget Act.

3 (2) The commission shall report to the Department of Finance  
4 by March 31 of each year the amount of funds collected by school  
5 districts and county offices of education as repayment of assistance  
6 pursuant to paragraph (4) of subdivision (d) and the amount of  
7 funds that remain unspent from the funds appropriated to the  
8 commission in the annual Budget Act for purposes of the program.

9 SEC. 3. Section 44394 is added to the Education Code, to read:

10 44394. (a) For purposes of this section, unless the context  
11 clearly requires otherwise, the following terms shall have the  
12 following meanings:

13 (1) “After school instructor” means an employee who meets the  
14 minimum standards of the paraprofessional job classification as  
15 defined by the applicant school district or county office of  
16 education and who is employed in an after school program by a  
17 school district, city, county, or nonprofit organization that receives  
18 funds pursuant to the 21st Century High School After School Safety  
19 and Enrichment for Teens program (Article 19 (commencing with  
20 Section 8420) of Chapter 2 of Part 6 of Division 1 of Title 1), the  
21 After School Education and Safety Program (Article 22.5  
22 (commencing with Section 8482) of Chapter 2 of Part 6 of Division  
23 1 of Title 1), or the 21st Century Community Learning Centers  
24 program (Article 22.6 (commencing with Section 8484.7) of  
25 Chapter 2 of Part 6 of Division 1 of Title 1) either as a grantee or  
26 through a school district subcontract. This definition of “after  
27 school instructor” applies only to this section.

28 (2) “Applicant” means a school district or county office of  
29 education receiving program funds under the California School  
30 Paraprofessional Teacher Training Program established in Section  
31 44393 and applying for pilot program funds pursuant to the  
32 California After School Teacher Pipeline Program established in  
33 subdivision (b).

34 (3) “Postsecondary educational institutions” means the  
35 California Community Colleges, the California State University,  
36 the University of California, and private postsecondary educational  
37 institutions that offer an accredited teacher training program.

38 (4) “Pilot” means the California After School Teacher Pipeline  
39 Program.

1 (5) “Pilot participant” means an after school instructor who  
2 elects to participate in the California School Paraprofessional  
3 Teacher Training Program and the California After School Teacher  
4 Pipeline Program.

5 (6) “Program” means the California School Paraprofessional  
6 Teacher Training Program.

7 (7) “Teacher training program” means an undergraduate or  
8 graduate program of instruction conducted by a campus of a  
9 postsecondary educational institution that includes a  
10 developmentally sequenced career ladder to provide instruction,  
11 coursework, and clearly defined tasks for each level of the ladder,  
12 and that is designed to qualify pupils enrolled in the program for  
13 a teaching credential authorizing instruction in kindergarten and  
14 grades 1 to 12, inclusive.

15 (b) The California After School Teacher Pipeline Program is  
16 hereby established for the purpose of recruiting qualified after  
17 school instructors to participate on a pilot basis in the California  
18 School Paraprofessional Teacher Training Program established  
19 pursuant to Section 44393.

20 (c) The commission shall select up to four applicants to  
21 participate in the pilot project.

22 (d) In addition to satisfying all of the requirements of the  
23 program, the commission shall require applicants for the pilot to  
24 demonstrate all of the following:

25 (1) A screening process that will determine if a pilot participant’s  
26 after school instruction experience ensures participant readiness  
27 for the pilot.

28 (2) How the applicant will ensure professional support for pilot  
29 participants, including, but not limited to, mentor teacher oversight,  
30 classroom experience, and academic content instruction experience.

31 (3) How the applicant will track pilot participants within the  
32 program.

33 (4) That the applicant and pilot participants will meet all the  
34 same requirements pursuant to Section 44393 for this pilot,  
35 including, but not limited to, the requirements for participant  
36 eligibility and commitments, program design, and program  
37 reporting.

38 (e) (1) From the funds transferred to the commission pursuant  
39 to paragraph (2) of subdivision (b) of Section 8483.55, the  
40 commission shall award a grant to each selected applicant, not to

1 exceed three thousand five hundred dollars (\$3,500) per pilot  
2 participant per year. The commission may award funding for after  
3 school instructors to participate in the pilot only to the extent that  
4 the funds described in this paragraph cover all of the costs  
5 associated with instructor participation in the pilot and any costs  
6 incurred by the commission pursuant to paragraphs (2) and (3).

7 (2) The commission shall include this pilot and pilot participants  
8 in all the reporting requirements pursuant to Section 44393.

9 (3) Before January 1, 2015, the commission shall report to the  
10 Legislature regarding the pilot. The report shall include the ability  
11 of applicants to successfully integrate the pilot into their existing  
12 program and the number of participants in the pilot who receive  
13 teaching credentials.

14 (f) This section shall become inoperative on July 1, 2016, and,  
15 as of January 1, 2017, is repealed, unless a later enacted statute,  
16 that becomes operative on or before January 1, 2017, deletes or  
17 extends the dates on which it becomes inoperative and is repealed.

18 SEC. 4. The Legislature finds and declares that this act furthers  
19 the purposes of the After School Education and Safety Program  
20 Act of 2002.